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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/246,409	02/08/1999	SHMUEL SHAFFER	99-P-7454-US	6137

7590 09/16/2002

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EXAMINER

CHOW, MING

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 09/16/2002

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/246,409

Applicant(s)

SHAFFER ET AL.

Examiner

Ming Chow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1-2, 8-10, and 16-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Beck et al (US-PAT-NO: 6,167,395).

Regarding claims 1 and 9, Beck disclosed on Column 49 Line 62, "In a multimedia call center (MMCC) supporting multiple channels and forms of communication and storing call center transactions in a data repository, a threading software application, comprising: a programming input for a user to enter association criteria". The said data repository is a memory for storing the messages. The threading software is a controller to identify the threading relationship.

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Regarding claims 2 and 10, Beck disclosed on Column 49 Line 64, "a threading software application, comprising: a programming input for a user to enter association criteria" that teaches how a controller is configured to indicate the message threading relationship.

Regarding claims 8 and 16, Beck disclosed on Column 50 Line 8, the application of MMCC displays icons for data entries, the icons arranged in threads or tree structures. The said display icons are the prompts as the applicant claimed.

Regarding claims 17-20, Beck disclosed on Column 4 Line 59 the invention embodiment is a multimedia call center which includes voice mail system and telephony-over-LAN messaging system.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 3-7, 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck in view of John Alson Hicks, III (US-PAT-NO: 6,304,573 B1). Regarding claims 3-7 and 11-15 Beck failed to teach the deleting and saving actions by the controller to the email and voice mail

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messages. However, Hicks teaches on Column 3 Line 49 the actions of deleting and saving on the email and voice mail messages (Column 3 Line 62). It would have been obvious to one skilled at the time the invention was made to modify Beck for including the deleting/saving actions to the email and voice mail messages such that the modified system of Beck would be able to support these well known deleting/saving features to the system users.

Response to Arguments

3. Applicant's arguments filed 6/19/02 have been fully considered but they are not persuasive.
 - i) Applicant argues, on page 2, one aspect of the present invention relates to handling of threaded messages and Beck does not appear to have anything to do with threaded messages. However, Beck et al also teach on Column 8 Line 51 a live COST call may first be routed to IVR whereby the customer can be presented with varying choices such as leaving a voice message. Beck et al also teach on Column 22 Line 53 the innovative implementation Integrates the text-based threaded with stored multimedia interactions such that one may interact with the threaded and access various stored media associated with the thread.
 - ii) Applicant argues, on page 2, the present invention identify to a user which messages are threaded and may also identify the degree of inclusiveness of the threading in a

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particular message. However, Beck et al teach on Column 5 Line 4 the display function displays icons for data entities, the icons arranged in threads or tree structure. The "icons arranged in threads" of Beck is the argued "identify to a user which messages are threaded". Further, Fig. 8 shows that "Customer XX-XX" (icon 205) is a message ^{Fig. 1.} (at least a message to the agent of the display monitor mentioned on Column 22 Line 24) for linking or threading to other icons or messages (e.g., E-mail 225 or recorded call (245)) such that if the agent clicks an icon (e.g., E-mail) its threaded message (e.g., e-mail text) will be displayed. It is clear that Fig. 8 and Column 22-23 of Beck reads on the claim 1 and 9.

- iii) Applicant argues, on page 2, the present invention identifies the degree of inclusiveness of the threading in a particular message. However, Beck et al teach on Column 5 Line 4 the display function displays icons for data entities, the icons arranged in threads or tree structure. The tree structure of Beck et al shows the degree of inclusiveness. Also, the "degree of inclusiveness" was not disclosed as a limitation in the claim of the present invention.
- iv) Applicant argues, on page 2, Beck relates to extracting information and, particularly, text, from call center communications or dialogs for a knowledge base. However, Beck et al teach on Column 7 Line 58 CINOS is adapted to support all planned communication mediums such as multimedia DNT applications including e-mail, video mail, file transfers, chat sessions, IP calls, and CTI COST transactions such as voice calls, voice mails, faxes, and so on. The "e-mail, video mail, file transfers, chat

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sessions, IP calls, and CTI COST transactions such as voice calls, voice mails, faxes” of Beck is more than just a knowledge base.

- v) Applicant argues, on page 3, the “threading” of Beck does not appear to relate to forwarding or replying to messages. However, Beck et al teach on Column 16 Line 35 the client’s preferred e-mail program may be activated for the purpose of sending a message to or soliciting a reply from a service agent.
- vi) Applicant argues, on page 3, Hicks also fails to teach, suggest or imply threading or identifying threading as generally recited in the claims at issue. However, as rejections for claims 3-7 and 11-15 the limitations that are not taught by Beck et al are taught by Hicks. It would have been obvious to one skilled at the time the invention was made to modify Beck such that the modified system of Beck would be able to support the claims to the system users.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***** NOTICE *****

ANY AMENDMENT OR REQUEST FOR RECONSIDERATION IN RESPONSE TO THIS FINAL OFFICE ACTION SHOULD BE DIRECTED TO:

Commissioner of Patents and Trademarks

Box AF

Washington, D.C. 20231

By addressing all after final office action responses to the above address, processing time of the response is included. This will result in more timely responses by the Office and should result in fewer requests for extension of time.

4. Any inquiry concerning this communication or earlier communication from the examiner should be directed to the examiner Ming Chow whose telephone number is (703) 305-4817. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this

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application or proceeding should be directed to the Customer Service whose telephone number is (703) 306-0377. Any inquiry of a general nature or relating to the status of this application or proceeding should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to TC2600's Customer Service FAX Number 703-872-9314.

Patent Examiner

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Ming Chow

(w)

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

